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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,223	07/11/2003	Eric K. Mangiardi	000100.0015	4411
37305	7590	10/14/2009	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET SUITE 4000 CHARLOTTE, NC 28280-4000			LLOYD, EMILY M	
		ART UNIT	PAPER NUMBER	
		3736		
		MAIL DATE		DELIVERY MODE
		10/14/2009		PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10618223	7/11/2003	MANGIARDI ET AL.	000100.0015

EXAMINER

EMILY M. LLOYD

ART UNIT	PAPER
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3736            20091008

DATE MAILED:

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Commissioner for Patents

The information disclosure statement submitted 4 June 2009 has been considered.

The information disclosure statement filed 14 February 2005 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

The Examiner also notes that reference 33 of the 14 February 2005 information disclosure statement appears to list the wrong patent number, as the name and publication date do not match the patent number.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMILY M. LLOYD whose telephone number is (571)272-2951. The examiner can normally be reached on Monday through Friday 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on 571-272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Attachments: Information Disclosure Statements 20050214 and 20090604

/Max Hindenburg/  
Supervisory Patent Examiner, Art Unit 3736

Emily M Lloyd  
Examiner  
Art Unit: 3736

PTO-90C (Rev.04-03)